

U.S. Patent Application Serial No. **10/649,732**
Response filed March 2, 2007
Reply to OA dated December 11, 2006

REMARKS

Claims 12-31 are pending in this application, with claims 30 and 31 withdrawn from consideration. Claims 12 and 22 have been amended and new claim 33 has been added herein. Upon entry of this amendment, claims 12-31 and 33 will be pending, with claims 30 and 31 withdrawn from consideration.

The applicant respectfully submits that no new matter has been added. Support for the claim amendments is detailed below. It is believed that this Amendment is fully responsive to the Office Action dated **December 11, 2006**.

Claim 22 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. (Office action paragraph no. 1)

The Examiner states the use of “preferably” and “should” in claim 22 is indefinite.

Reconsideration of the rejection is respectfully requested in view of the amendments to the claims. Claim 22 has been amended to delete the “preferably” clauses, and the phrase “should hold” is amended to --holds--. The deleted “preferably” clauses provide support for the limitations recited in new claim 33.

Claims 12-14 and 16-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Takita et al. (5,051,183). (Office action paragraph no. 2)

U.S. Patent Application Serial No. **10/649,732**
Response filed March 2, 2007
Reply to OA dated December 11, 2006

Reconsideration of the rejection is respectfully requested in view of the clarifying amendment to claim 1.

The Examiner states that Takita discloses extruding a solution composed of 10 to 50 wt% of a polyolefin having a weight-average molecular weight of 500,000 or more, and 50 to 90% of a solvent, into a gel-like formed article. The Examiner is apparently referring to the disclosure in column 5, lines 48-49 and 59-68. Removal of the solvent is disclosed in column 6, line 47.

The Examiner also cites Takita '183 for disclosing a treatment step with a hot solvent in column 5, lines 29-32. However, these lines read: "In the present invention, the high-concentration solution of the polyolefin composition is prepared by dissolving the above-mentioned polyolefin composition in a solvent while heating." That is, this refers only to the dissolution of the polyolefin to make the heated solution that is extruded through the die (see column 5, line 59).

The amendment to claim 12 clarifies the recitation of the claim, by amending "a treatment step with a hot solvent is incorporated" to --"a treatment step with a hot solvent is performed on the gel-like formed article--". This amendment clarifies that the hot solvent is used to treat the **gel-like formed article**, and does not refer to the dissolution of the polyolefin to make the recited solution.

The "treatment step with a hot solvent" recited in claim 12 is disclosed generally in the specification on page 3, lines 1-5, where it states that the membrane "can be produced by treating, with a hot solvent, the gel-like formed article or stretched product thereof" That is, the "treatment step with a hot solvent" is performed **on the gel-like formed article**, and does not refer to the

U.S. Patent Application Serial No. **10/649,732**
Response filed March 2, 2007
Reply to OA dated December 11, 2006

preparation of the solution of the polyolefin. The treatment step is also disclosed in greater detail in the specification on page 14, line 14, and ff., where it states: “The formed article may be treated either directly or indirectly, wherein it is directly brought into contact with the hot solvent in the former, and heated after being brought into contact with the solvent in the latter” That is, the **formed article** is treated with hot solvent. These portions of the specification provide support for the amendment to claim 12.

Takita '183 discloses washing the stretched article with a solvent (column 6, line 61), but does not appear to disclose a **hot solvent** treatment of the formed article.

Again, reconsideration of the rejection of claims 12-14 and 16-29 over Takita '183 is requested.

Claim 15 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. (Office action paragraph no. 3)

Reconsideration of the objection to claim 15 is respectfully requested in view of the clarifying amendment to base claim 12.

U.S. Patent Application Serial No. 10/649,732
Response filed March 2, 2007
Reply to OA dated December 11, 2006

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicant's undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS,
HANSON & BROOKS, LLP



Daniel A. Geselowitz, Ph.D.

Agent for Applicant

Reg. No. 42,573

DAG/bh
Atty. Docket No. 010312A
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



23850

PATENT TRADEMARK OFFICE